

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

ECOLOGIC SYNERGIES
INTERNATIONAL, INC., et al,

Plaintiffs,

v.

MP CAPITAL PARTNERS, LLC, et al,

Defendants.

Case No. 3:22-CV-05083-MDH

ORDER AND FINAL JUDGMENT

Before this Court is Defendants MP Capital Partners, LLC; Clear Creek 321 Holdings, LLC; Maple 920 Partners, LLC; Downing 1020 Holdings, LLC; Downing 1020 Property, LLC; Redfin706, LLC; Magnolia Development, LLC; and Grove II Holdings, LLC; and Rick Miller's (collectively "Defendants") Motion for Entry of Consent Judgment. Neither Plaintiff Ecologic Synergies International, Inc. nor Plaintiff Modern Mod, Inc. (collectively, "Plaintiffs") has responded and the deadline for responses has passed. For reasons herein, Defendants' Motion is GRANTED.

This Case was removed from Newton County, Missouri Circuit Court on November 9, 2022. Plaintiffs alleged one count of contract breach and one count of tortious interference with contract. Allegations in Plaintiffs' Complaint arise generally from disputes over design and construction contracts. Defendants answered Plaintiffs' Complaint November 30, 2023 and asserted a breach of contract counterclaim. On March 27, 2023, the parties entered into a settlement agreement, a copy of which is attached to Defendants' Motion. The parties advised this Court of the settlement agreement April 3, 2023. Pursuant to the settlement agreement, Plaintiffs were to

pay Defendants \$1,200,000.00 no later than June 23, 2023. Defendants later extended that date until July 13, 2023. According to the settlement agreement, should Plaintiffs fail to make timely payment, Defendants may move for consent judgment in Defendants' favor and an award in the amount of \$1,800,000.00. Defendants inform this Court that Plaintiffs have failed to make timely payment. Plaintiffs have filed no response to Defendants' present Motion. Plaintiffs have not challenged Defendants' allegations in the instant Motion nor have Plaintiffs argued that the settlement agreement is somehow unenforceable.

Therefore, this Court finds that judgment should be entered in favor of Defendants and against Plaintiffs pursuant to the parties' settlement agreement as referenced in and attached to Defendants' present Motion. It is FURTHER ORDERED that Defendants MP Capital Partners, LLC, Clear Creek 321 Holdings, LLC, Maple 920 Partners, LLC, Downing 1020 Holdings, LLC, Downing 1020 Property, LLC, Redfin706, LLC, Magnolia Development, LLC, and Grove II Holdings, LLC and Rick Miller shall have and recover judgment in their favor against Plaintiffs Ecologic Synergies International, Inc. and Modern Mod, Inc., jointly and severally, in the amount of \$1,800,000.00 with post-judgment interest to accrue at the statutory rate.

IT IS SO ORDERED.

Dated: August 7, 2023

/s/ Douglas Harpool
DOUGLAS HARPOOL
United States District Judge

